

**Probate Status Hearing Re: Filing 1st account and Final Distribution**

<b>DOD: 01/15/2013</b>	<b>PAMELA S. GRIGGS</b> , was appointed Executor with full IAEA without bond on 03/20/2013.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need First Account or Petition for Final Distribution.
	Letters were issued on 03/21/2013	
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>	Inventory & Appraisal Partial No. 1 filed 06/24/2013 - \$69,045.71	
<b>Verified</b>	Inventory & Appraisal Final filed 07/18/2013 - \$5,450.00	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>	Minute Order dated 03/20/2013 set this status hearing for the filing of the First Account or Final Distribution.	
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>	<b>Status Report re Frist and Final Account filed 05/21/2014</b> states the attorney's office is currently in the process of preparing the petition and first and final account current in this matter. It is anticipated that the accounting will be filed within the next three weeks.	
<b>Sp.Ntc.</b>	Therefore, it is requested that this status hearing be continued for 30 days to allow time for the executor and her attorney to complete the preparation of the accounting.	
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		<b>Reviewed by:</b> LV
<b>Order</b>		<b>Reviewed on:</b> 05/21/2014
<b>Aff. Posting</b>		<b>Updates:</b>
<b>Status Rpt</b>		<b>Recommendation:</b>
<b>UCCJEA</b>		<b>File 1 - Bertell</b>
<b>Citation</b>		
<b>FTB Notice</b>		

(1) Report on Waiver of Account and (2) Petition for Its Settlement, for (3)  
Allowance of Attorney Fees and Costs and for (4) Final Distribution

DOD: 04/08/13		CYNTHIA GERRINGER, Administrator, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>CONTINUED FROM 03/26/14</u>  <b>As of 05/20/14, nothing further has been filed in this matter.</b>  1. The Petition references a final Inventory & Appraisal filed 06/15/13 in the amount of \$108,765.39 on page 3, item 10. However the Final Inventory & Appraisal was filed 10/04/13 reflecting assets in the amount of \$108,618.76. Therefore, it appears that the total assets of the estate equal \$244,618.76 rather than \$244,765.39. This difference also effects the calculation of the statutory fees.  2. Need Order.  <u>Note:</u> Examiner calculates the fee base to be \$271,975.20 and the statutory fee to be \$8,439.50, resulting in \$60,375.83 to be distributed to each beneficiary.  <b>Reviewed by:</b> JF <b>Reviewed on:</b> 05/20/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 2A – Copeland</b>
		Accounting is waived.		
Cont. from 011614, 021314, 032614		I & A - \$244,765.39 (see note 1)		
✓	Aff.Sub.Wit.		POH - \$138,065.65 (all cash)	
✓	Verified			
✓	Inventory		Administrator - \$8,442.44 (statutory, see note 1)	
✓	PTC			
✓	Not.Cred.		Attorney - \$8,442.44 (statutory, see note 1)	
✓	Notice of Hrg			
✓	Aff.Mail	w/	Costs - \$435.00 (filing fee)	
	Aff.Pub.		<b>Distribution, pursuant to intestate succession, is to:</b>	
	Sp.Ntc.		John Robert Marin - \$60,372.88	
	Pers.Serv.		Cynthia Geringer - \$60,372.88	
	Conf. Screen		<b>Objections to Report and Waiver of Account and Objection to Petition for its Settlement; Points and Authorities</b>	
	Letters	06/27/13	filed 01/13/14 by Eleanor Copeland states:	
	Duties/Supp		1. Objector is the sole heir of decedent's predeceased spouse and is entitled to inherit ½ of the community property under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and 240.	
✓	Objections		2. The Petition erroneously states that the estate consists entirely of the decedent's separate property.	
	Video Receipt		3. Decedent's estate consists of a residence purchased during her 38 year marriage and decedent's income, earned while married, which funded her pension.	
	CI Report		Continued on Page 2	
✓	9202			
	Order	x		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			

4. Decedent did not designate a beneficiary for her pension and that pension plan has terminated. Those funds are now **former ERISA plan benefits**. (Emphasis in original) The former pension funds have been paid to the Administrator, as they come into decedent's estate, they retain their community property character, and are distributable with other community property.
5. The Petition for Probate appointing Petitioner as Administrator of Decedent's estate failed to state that decedent was survived by a parent of a predeceased spouse and Objector is objecting on that basis. Decedent's husband, George L. Copeland, died on 05/21/09.
6. Objector is an intestate heir of decedent's predeceased spouse under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and has standing to bring these objections. Objector requests judicial notice under Evidence Code § 452(d) of her petition to determine heirship and the beneficial interests of the intestate heirs thereunder.
7. The pension funds that were distributed to the Administrator consist of IBM Retirement Savings and a beneficiary account with the IBM 401(k) Plus Plan.
8. Decedent's residence on Stanford in Clovis is community property of decedent and her predeceased husband George Copeland. The property was purchased on 06/22/88, during their marriage, they were married on 11/16/72.
9. By law ERISA (Employment Retirement Income Security Act of 1974) federal preemption is limited. California law still creates a community property interest in decedent's income earned during the marriage.
10. Once an ERISA-qualified plan terminates or the participant terminates his or her interest in the plan and the benefits are transferred out of the plan, ERISA no longer applies and there is no federal preemption. In this case, decedent did not designate a pension plan beneficiary, and the funds were property distributed to the Administrator for disposition in decedent's estate.
11. A community property interest in acquired during marriage and before separation. A spouse's community property interest arises at the time it is acquired and is not affected by a change in the form of the property. Its community property status can only be altered by judicial decision or joint action between the parties.
12. In California, the community vs. separate character of property is determined by reference to the time of its acquisition.
13. Both the residence and the IBM Pension funds were acquired during the marriage. The proceeds from the sale of the marital residence and the former 401(k) pension funds are community property and one-half is distributable under community property principles to the heirs of a predeceased spouse under Probate Code § 6402.5(a)(2) and 6402.2(b)(2). Accordingly, one-half of the estate should be distributed to Objector as the sole heir of the predeceased spouse, and one-half should be distributed to the decedent's heirs at law, being her brother and sister.

**Objector prays for an Order:**

1. Denying the request to settle the report on waiver of account and the petition thereon;
2. Find that the estate consists entirely of community property;
3. Set bond in an appropriate amount as Objector has not waived bond; and
4. Order that community property be distributed pursuant to Objector's petition to determine heirship.

**Petition to Determine Heirship**

<b>DOD: 04/08/13</b>		<b>ELEANOR COPELAND</b> , is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner states:</b>	<b>CONTINUED FROM 03/26/14</b>
		1. She is the mother of George Copeland, predeceased spouse of decedent Rebecca Copeland and is entitled to inherit under the laws of intestacy set forth in Probate Code § 6402.5(a)(2) and 6402.5(b)(2) and 240.	
<b>Cont. from 011614, 021314, 032614</b>		2. Decedent died intestate on 04/08/13 leaving an estate in Fresno County, California.	<b>As of 05/20/14, nothing further has been filed in this matter.</b>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	3. Decedent's siblings are entitled to inherit under Probate Code § 6402(c).	
<input checked="" type="checkbox"/>	<b>Verified</b>	4. Cynthia Gerringer, decedent's sister, filed a Petition for Probate on 05/21/13 and is now the Administrator of decedent's estate.	1. Need Order.
<input type="checkbox"/>	<b>Inventory</b>	5. Petitioner's son, George Copeland, was married to the decedent until his death on 05/21/09. Since George died less than 5 years before the decedent's death, Petitioner is entitled to one-half of the decedent's community property (Probate Code § 6402.5(a)(2)).	
<input type="checkbox"/>	<b>PTC</b>	6. Petitioner alleges that the estate should be divided as follows:	
<input type="checkbox"/>	<b>Not.Cred.</b>	<u>Community Property:</u>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	- ½ to Eleanor Copeland, mother of predeceased spouse of the decedent	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	- ¼ to John Robert Marin, brother of decedent	
<input type="checkbox"/>	<b>Aff.Pub.</b>	- ¼ to Cynthia Gerringer, sister of decedent	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<u>Separate Property:</u>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	- ½ to John Robert Marin, brother of decedent	
<input type="checkbox"/>	<b>Conf. Screen</b>	- ½ to Cynthia Gerringer, sister of decedent	
<input type="checkbox"/>	<b>Letters</b>	Birth/Death and Marriage Certificates attached to Petition.	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	x	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Petitioner prays that the Court determine the heirship and entitlement to the estate.</b>	<b>Reviewed by:</b> JF <b>Reviewed on:</b> 05/20/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 2B – Copeland</b>

<b>DOD: 04/08/13</b>	<b>CYNTHIA GERRINGER</b> , Administrator, filed a <b>Report on Waiver of Account and Petition for its Settlement</b> , etc. on 11/20/13.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need updated status report regarding settlement agreement.
<b>Cont. from</b>	<b>ELEANOR COPELAND</b> , mother of decedent's predeceased spouse, filed <b>Objections to Report and Waiver of Account and Objections to Petition for its Settlement</b> and a <b>Petition to Determine Heirship</b> on 01/13/14.	
<b>Aff.Sub.Wit.</b>	<p>On 03/26/14, the parties engaged in a Settlement Conference. <b>Minute Order from Settlement Conference set this matter for Status Re: Settlement Agreement and states:</b> The Court notes that Ms. Nichols has been authorized to enter into an agreement on behalf of Eleanor Copeland. Parties engage in settlement discussions with the Court. Parties reach a resolution. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the settlement. Counsel to prepare the agreement.</p>	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 05/20/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2C - Copeland</b>

**Probate Status Hearing Re: Failure to File an Inventory and Appraisal and Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 08/01/02</b>	<p><b>HECTOR JAVIER SAENZ, JR.</b>, son, was appointed Administrator with full IAEA and without bond but with funds recovered to be deposited into a blocked account, on 10/08/02. Letters of Administration were issued on 10/09/02.</p> <p><b>Notice of Status Hearing</b> filed 09/16/13, set this matter for a Status Hearing on 11/15/13. <b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed to H. Ty Kharazi on 09/16/13.</p> <p><b>Declaration of H. Ty Kharazi</b> filed 01/22/14 states: The estate has no assets whatsoever. The estate was opened because the Administrator believed that the decedent had a large bank account at Valley Oak Credit Union; however it was later determined that the decedent had a negative balance in the account. Mr. Kharazi states that he has advanced costs in this matter and has not been reimbursed. The Administrator has not responded to correspondence sent to him regarding this matter. Mr. Kharazi states that the estate is insolvent because there are no assets and money owed to creditors. Mr. Kharazi asks to be relieved as counsel and that the Court disposes of this case.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>CONTINUED FROM 04/11/14</b></u>  <b>Minute Order from 04/11/14 states: No appearances. The Court notes that Mr. Kharazi's status report sets forth his inability to communicate with his client. Matter continued to 05/23/14. Mr. Kharazi is ordered to be personally present on 05/23/14 if the required documents are not filed.</b></p> <p><b>As of 05/21/14, nothing further has been filed.</b></p> <ol style="list-style-type: none"> <li>1. Need Inventory &amp; Appraisal.</li> <li>2. Need Account/Report on Waiver of Account and Petition for Distribution</li> <li>3. Need Status Update Report.</li> </ol>
<b>Cont. from 111513, 022114, 041114</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 05/21/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 – Saenz</b></p>

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 12/18/02</b>	<p><b>FRANK T. RAMIREZ</b>, was appointed Administrator with limited IAEA authority and without bond on 10/21/03. Letter were issued on 10/23/03.</p> <p>Inventory &amp; Appraisal, final filed 12/10/03 - \$27,500.00</p> <p><b>Notice of Status Hearing</b> filed 11/08/13 set this matter for hearing re: Failure to File a First Account or Petition for Final Distribution.</p> <p><b>Clerk's Certificate of Mailing</b> states that the Notice of Status Hearing was mailed to attorney Bruce Kennedy and Administrator Frank Ramirez on 11/08/13.</p> <p><b>Second Status Report of Administrator</b> filed 05/09/14 states:</p> <ol style="list-style-type: none"> <li>1. The decedent had held title to real property located on Brawley in Fresno in joint tenancy with her mother, Maria Ramirez. In 1965, Maria Ramirez died and decedent recorded an affidavit of death confirming title to her as Maria's surviving joint tenant.</li> <li>2. In 1970, the decedent married Luciano Medina and in 2002, the decedent conveyed her separate property interest in the property to herself and her spouse as community property.</li> <li>3. By her will dated 12/17/99, the decedent provided that her retained community property interest was to pass ½ to her surviving spouse and ½ to her sole surviving sister, Concepcion Ramirez.</li> <li>4. The decedent was survived by nieces, nephews, grand-nieces, and grand-nephews of her four predeceased sisters, all of whom were given notice of the probate.</li> <li>5. Luciano Medina died intestate and without a spouse or issue on 01/18/03. Prior to his death, he conveyed his community property interest in the property to his nephew, Luciano Medina Calixto by a deed dated 01/16/03 and recorded 01/21/03.</li> </ol> <p align="center">Continued on Page 2</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>CONTINUED FROM 01/14/14</b></u></p> <p>1. The Second Status Report of Administrator filed 01/07/14 improperly seeks relief from the court to sell the real property asset of the estate by Administrator with limited IAEA authority. The Second Status Report was not filed as a "Petition" and no filing fee was collected. A Report of Sale and Petition for Order Confirming Sale of Real Property (Form DE-260) must be filed and all of the required notices must be given for the relief requested in the Status Report.</p>
<b>Cont. from 011414</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
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<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

6. On 01/18/05, Administrator filed a petition to rescind the gift of Nora of a community property interest to her spouse, Luciano Medina, and to cancel Luciano's subsequent conveyance to his nephew on the grounds of undue influence, fraud, and abuse of fiduciary relationship, seeking to determine title to the property.
7. On 02/10/06, a decision was rendered by Hon. Stephen J. Kane, finding that the conveyance by decedent's spouse to his nephew should be cancelled and the property restored to the Estate of Luciano Medina, and because the claim of the invalidity of the deed of the decedent to her spouse had been withdrawn, this decision yielded an undivided  $\frac{3}{4}$  interest in the property to Luciano's estate and an undivided  $\frac{1}{4}$  interest in the property in the decedent's estate.
8. Because the decedent's spouse, Luciano Medina, died intestate, unmarried and without surviving issue, his  $\frac{3}{4}$  interest in the property which was derived from the separate and community property of his predeceased spouse, the decedent herein, passed to the surviving issue of the parents of decedent under Probate Code § 6402.5(a)(3) and 240.
9. Accordingly, Petitioner filed a petition in the estate of Luciano Medina to determine succession on the undivided  $\frac{3}{4}$  interest in the property to the 12 heirs of the decedent entitled to succeed to this interest, resulting in an order establishing title in separate undivided interests in the property comprising  $\frac{3}{4}$  interest in the property in the heirs of the decedent.
10. All of the heirs of decedent agreed to place their distributive shares into an irrevocable trust to be administered by Frank Ramirez (Administrator) as trustee, which trust was to become subject to the jurisdiction of this Court in the administration of the estate of the decedent.
11. The irrevocable trust provides that its beneficiaries will all bear, in proportion to their individual undivided interests in the property, the expenses of the litigation by which the deed by the Luciano Medina to his nephew was cancelled. The trust also provides that approval of attorney's fees and expenses shall be approved by this Court in the administration of the decedent's estate.
12. The only asset of the Estate is an undivided  $\frac{1}{4}$  interest in the property.
13. The final Inventory & Appraisal of the estate was filed 12/10/03 showing the value of a  $\frac{1}{2}$  undivided interest in the real property was \$27,500.00. A subsequent appraisal done in December 2010 showed a total value of the property to be \$40,000.00. Therefore, an undivided  $\frac{1}{4}$  interest in the property would be valued at \$10,000.00. Administrator declares that such Inventory & Appraisal contains all of the assets of the estate.
14. The CA Dept. of Health Care Services holds a lien against the property in the amount of \$10,000.00 (without interest) to settle its claim against the estate of both the decedent and her spouse for Medi-Cal services rendered to them during their lifetimes.
15. All debts of the decedent and of the estate and all expenses of administration, including closing expenses, commission to the Administrator and his attorney remain to be paid. The estimated ordinary commissions and attorney's fees are \$400.00.
16. The Administrator has advanced costs in the amount of \$14,907.87 for litigation costs, property taxes, and property maintenance expenses for raising the building structures located on the property and the disposal of the debris.
17. Administrator's attorney, Bruce Francis Kennedy, has performed extraordinary services on behalf of the Administrator and the estate from 05/13/03 – 12/25/13. The total value of those services is \$78,251.60, which includes costs in the amount of \$81.60.
18. The Administrator has made no distributions from the estate.
19. Petitioner has recently received an offer on the real property in the amount of \$45,000.00 which he believes is a fair and reasonable purchase price which is in excess of the most recent appraisal of \$40,000.00. All improvements on the property has been razed and the property is selling as vacant land. The commissions payable on the sale of vacant land are customarily 10% of the selling price which is the amount of commissions contemplated to be paid in this transactions.

Continued on Page 3



20. In order to avoid further expenses of administration which would have to be incurred for a new appraisal and for filing a petition for confirmation of sale, Petitioner requests that the Court grant an order empowering Petitioner to sell the real property of the estate and approving the sale of the real property of the estate and approving the sale of the real property for an all-cash sum of \$45,000.00 and approving brokerage commissions in the amount of 10% of the selling price without the necessity for court proceedings related to the sale.
21. Following the completion of the sale of the real property, Petitioner intends to file a waiver of account and petition for final distribution in order to bring the estate to a close. Petitioner anticipates that the sale will be concluded within 30 days of the date of entry of an order authorizing Petitioner to sell the property and approving the sale for an all-cash price of \$45,000.00 subject to commissions in the amount of 10% and customary costs of escrow, title insurance, etc.

**Administrator prays for an Order:**

1. Authorizing and directing Petitioner, Frank T. Ramirez to sell the real property of the estate located at 5656 N. Brawley, Fresno, CA;
2. Approving the sale of the real property for the all cash sum of \$45,000.00 subject to brokerage commissions in the amount of 10% of the selling price, and subject to the customary costs of escrow, title insurance, etc.
3. Authorizing the administration of the Estate to continue for an additional 90 days for the closing of escrow and the filing of a waiver of account and petition for final distribution.

<b>DOD: 11-15-02</b>	<b>CHRISTOPHER O'NEAL</b> , Son, was originally appointed as Administrator with Full IAEA with bond of \$50,000.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Bond was filed on 12-8-03 and Letters issued on 1-27-04. Mr. O'Neal was represented by Attorney Gary Huss.	<b>Note: The decedent had three children who would be the heirs to this estate, including the former Administrator Christopher O'Neal, Carl O'Neal, and Robin O'Neal, the disabled daughter referred to in the 2007 status report.</b>
<b>Cont from 041814</b>	I&A filed 3-29-04 indicated real property valued at \$145,000.00 as of date of death 11-15-02.	<b>Note: A Request for Special Notice was filed by attorney Gary Huss.</b>
<b>Aff.Sub.Wit.</b>	On 10-12-06, the Court set a status hearing for failure to file a petition for final distribution.	<b>Note: It appears Mr. Huss may have received payment prior to Court authorization.</b>
<b>Verified</b>	A status report filed 1-16-07 indicated that issues needed to be resolved among heirs, and a guardian ad litem may need to be appointed for the decedent's disabled daughter.	<b>Note: If this matter is continued, notice should be sent to interested persons, including heirs, requests for special notice, and the surety.</b>
<b>Inventory</b>	The First Account filed 2-8-07 indicated that title to the real property had been transferred into the name of the Administrator, and that the Administrator had refinanced the property and had withdrawn \$75,000.00 in equity, which paid off the prior lien and created a new mortgage in his name alone. The cost of the transaction was \$6,552.08. Mr. O'Neal reportedly received \$43,482.14 cash at the close of the transaction, which was reportedly applied toward the purchase of a vehicle and to care for his disabled sister, for whom he was the caregiver. Additionally, funds of \$2,750.00 were also advanced to Attorney Huss to assist with the costs and expenses of this proceeding.	<b>Status Report filed 5-20-14 requests an additional 6 months. It appears a guardianship estate may need to be established for one of the heirs.</b>
<b>PTC</b>	The Court admonished the Administrator not to take any other money from the estate or take any other loans against estate property on 3-22-07, but the account was not settled. On 5-8-07, Attorney Huss substituted out as attorney for Mr. O'Neal.	<b>Reviewed by: skc</b>
<b>Not.Cred.</b>	Thereafter, an OSC was issued for Mr. O'Neal regarding possible sanctions, and on 6-21-07 he was removed and the <b>FRESNO COUNTY PUBLIC ADMINISTRATOR</b> was appointed as Successor Administrator. On 6-21-07, the Court ordered the Public Administrator to take all steps necessary to return the property to the estate.	<b>Reviewed on: 5-21-14</b>
<b>Notice of Hrg</b>	On 7-18-07, the Court sent notice of Mr. O'Neal's removal to Western Surety Company.	<b>Updates:</b>
<b>Aff.Mail</b>	<b>Letters issued to the Public Administrator on 3-3-08. However, since that date, there has been no activity in this file.</b>	<b>Recommendation:</b>
<b>Aff.Pub.</b>	<b>On 2-14-14, the Court set this status hearing for failure to file a petition for final distribution.</b>	<b>File 5 – O'Neal</b>
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
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<b>Citation</b>		
<b>FTB Notice</b>		

<b>DOD: 11-25-04</b>		<p><b>PRESTON VAN CAMP</b>, Grandson, in pro per, was appointed as Administrator with Full IAEA without bond on 4-12-05 and Letters issued 4-14-05. Pursuant to various Assignments of Interest, the Administrator was also to be the sole beneficiary.</p> <p>I&amp;A filed 8-11-05 indicated a total estate value of \$175,249.00 consisting of real and personal property.</p> <p>A status report filed 4-17-09 indicated that the decedent apparently owed taxes since 1997; therefore, the Administrator needed a 6-month continuance to sell assets, pay creditors, and file the petition for final distribution. The Administrator did not appear at the continued hearing date; however, and an OSC was issued.</p> <p>On 11-28-06, Preston Van Camp was removed as Administrator and the <b>FRESNO COUNT PUBLIC ADMINISTRATOR</b> was appointed as Successor Administrator. The former Administrator was ordered to file his final account and distribute to the Public Administrator. The former Administrator's account and later his amended account detailed various transactions, including granting an option to purchase the real property. The Public Administrator filed objections, and both the original account and the amended account were ultimately denied. According to the amended petition, all assets inventoried (real and personal property) remained on hand.</p> <p>On 11-5-07, the Court ordered the assets turned over to the Public Administrator and reserved the right to surcharge.</p> <p>There was no further activity in this case until 2-14-14 when the Court set this status hearing for failure to file a petition for final distribution.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Status Report filed 4-25-14 states Pamela Van Camp, one of the decedent's daughters, stated she would like to assume the loan on the home and she thinks her sisters would be okay with that. She was informed she would have to pay fees as well, and was given until April 15 to discuss with family and look into how to assume the loan.</p> <p>In order to resolve issues, Public Administrator requests a 6-month continuance.</p>
<b>Cont from 041814</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

Reviewed by: skc

Reviewed on: 5-21-14

Updates:

Recommendation:

File 6 – Van Camp

		<b>MARLENE TORRES</b> , Sister, and <b>MARY ANN TORRES</b> , Niece, were appointed as Co-Conservators of the Person and Letters issued on 9-13-05.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Cont'd from 2-21-14, 4-18-14</u>  <b>Minute Order 2-21-14:</b> The Conservators are to be in frequent communication with Conservatee's case manager to obtain knowledge of when or if she could go home. Court Investigator is to get in contact with all parties and the Court wants a report before the next hearing.  <b>Minute Order 4-18-14:</b> The Court orders that counsel be appointed to represent Mary Rose Torres. The Court directs that appointed counsel speak with Marlene Torres and Mary Ann Torres.  <b>Note:</b> On 4-22-14, Attorney Deborah Boyett was appointed for the Conservatee. See Declaration filed 5-12-14 summarized on the following page.  <b>Note:</b> A Supplemental CI report was filed 4-15-14.
Cont. from 022114, 041814			
Aff.Sub.Wit.		The Court set this status hearing regarding termination of the conservatorship on 1-21-14 and sent notice to the Conservators.	
Verified			
Inventory		<b>Court Investigator Jennifer Young</b> filed a report on 1-17-14 and a Supplemental report on 4-15-14.	
PTC			
Not.Cred.		On 4-22-14, Attorney Deborah Boyett was court appointed to represent the Conservatee.	
Notice of Hrg			
Aff.Mail		Ms. Boyett filed a report on 5-12-14. See Page 2.	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

## Page 2

**Declaration of Deborah Boyett filed 5-12-14 supports termination of the conservatorship.** Ms. Boyett met with Rosie at her current residence on 4-26-14. Rosie was articulate, pleasant, and appeared content with her living arrangements. She had just come in from the garage where she had been using exercise equipment. Rosie mentioned that she had already told the Court Investigator Jennifer (she mentioned her by name) that she wanted to continue to live where she is now. She was adamant that she does not want to be with her sister Mary Ann Torres. She spoke fondly of her caregivers at her current residence. When asked about her day program, she explained her job duties packaging clothing hangers and how employees are paid based on productivity. She proudly stated that her earnings are paid to her. Rosie indicated that past issues with her roommate have been resolved, and Rosie indicated that she has everything she needs. When asked if there was anything she wanted the Court to know, she looked thoughtful and paused, and then expressed desire that she not return to Mary Ann Torres' home to live. She also stated that she does not want to be contacted by Mary Ann Torres or Marlene Torres. She does not want to attend the hearing.

Ms. Boyett spoke with Mary Ann Torres, who expressed her love for Rosie and a deep sense of care and concern. She does not support terminating the conservatorship. Her concerns are due to a past history where another family allegedly "beat up" Rosie and another time when Rosie was placed in a home by her CVRC counselor, which lasted only a short time – she was given clothes that did not fit, lost weight, was not given her medication, had not been brushing her teeth, and was not assisted with other personal hygiene. She wants to know that Rosie is receiving proper care.

Ms. Boyett spoke with Marlene Torres, who also opposes termination of the conservatorship because she believes it is in Rosie's best interest to stay with Mary Ann. Marlene indicated that Rosie said "untrue things" about Mary Ann pulling her hair and calling her names in order to get her way, and can frequently change her mind. She would agree to continuing the conservatorship but allowing Rosie to live at her current residence.

Ms. Boyett spoke with Xia Her, Rosie's CVRC counselor. She stated CVRC will monitor Rosie's care on a quarterly basis to ensure that she is receiving appropriate personal care, including medications and checkups.

**Based on the Court Investigator's report recommending termination of the conservatorship, her visit with the Conservatee, and her conversations with the conservators and Ms. Her, Ms. Boyett supports termination of the conservatorship. This support is largely due to the expressed desire of the Conservatee to be independent of her conservators.**

Atty Seymour, William L., sole practitioner, Visalia (for Diana L. Sanchez, Executor)  
**Probate Status Hearing for Failure to File the Inventory and Appraisal and for Failure to File the First Account or Petition for Final Distribution**

<b>DOD: 8/9/1999</b>		<p><b>DIANA L. SANCHEZ</b>, daughter, was appointed Executor with Full IAEA without bond on 7/18/2000; Letters issued on 7/20/2000.</p> <p><b>Amended Petition for Probate filed 6/27/2000</b> estimated the value of the property of the estate at <b>\$152,000.00</b>, consisting of <b>\$12,000.00</b> in personal property and <b>\$140,000.00</b> in real property.</p> <p><b>Decedent's Will dated 5/21/1997</b> devises all property and entire residue of the estate to the Trustee of the <b>GIBSON AND MARIE HUNTER REVOCABLE FAMILY TRUST dated 5/21/1997</b>.</p> <p><b>Pursuant to Probate Code § 8800(b)</b>, <i>Final Inventory and Appraisal</i> was due <b>11/20/2000</b>.</p> <p><b>Pursuant to Probate Code § 12200</b>, first account and/or petition for final distribution was due <b>7/20/2001</b>.</p> <p><b>Notes for Background:</b></p> <ul style="list-style-type: none"> <li>Court records show the last document filed in this matter by the Attorney on behalf of the Executor was an <i>Allowance of Creditor's Claim</i> filed <b>8/18/2000</b>, allowing the claim for <b>\$14,102.00</b> of Mission Medical Enterprises d.b.a. Hanford Rehab Hospital.</li> <li><b>Notice of Status Hearing filed 10/31/2013</b> set a status hearing on 12/6/2013 for failure to file the inventory and appraisal and failure to file a first account or petition for final distribution. <i>Clerk's Certificate of Mailing</i> filed 10/31/2013 shows notice of hearing was mailed to Attorney William L. Seymour at his address listed on the CA State Bar website, and to Executor Diana L. Sanchez at an address in Lemoore (based upon Court records), on 10/31/2013.</li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Minute Order dated 3/28/2014 states the Order to Show Cause issued to Executor Diana Sanchez is dismissed. Diana Sanchez was not present at hearing on 3/28/2014. Attorney William Seymour appeared at hearing on 3/28/2014.</p> <p><b>Continued from 3/28/2014. The following issues from the last hearing remain:</b></p> <ol style="list-style-type: none"> <li>Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b).</li> <li>Need first and final account and/or petition for final distribution, or verified <i>Status Report</i> and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B) for the following persons: <ul style="list-style-type: none"> <li><b>CULLEN D. BIRCH</b>, son;</li> <li><b>GUY WESLEY BIRCH</b>, son;</li> <li><b>JON KEITH BIRCH</b>, son;</li> <li><b>DIANA LYNN SANCHEZ</b>, daughter (Executor);</li> <li><b>Trustee of the GIBSON AND MARIE HUNTER REVOCABLE FAMILY TRUST dated 5/21/1997</b>;</li> <li><b>E. Warren Gubler</b> per <i>Request for Special Notice</i> filed 6/8/2000.</li> </ul> </li> </ol> <p><b>Note:</b> Attorney E. Warren Gubler filed a <i>Request for Special Notice</i> on 6/8/2000 in relation to the <b>\$14,102.00</b> Creditor's Claim of Mission Medical Enterprises dba Hanford Rehab Hospital.</p> <p><b>Note:</b> Creditor's Claim was filed on 9/26/2000 by Kings Credit Services on behalf of Hanford Community Medical Center for <b>\$63,118.47</b>.</p>
<b>Cont. from 120613, 021414, 032814</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>	X		
<b>Inventory</b>	X		
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>	X		
<b>Aff.Mail</b>	X		
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>	X		
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>	072000		
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>	X		
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 5/21/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8 - Hunter</b></p>	

**Probate Status Hearing Re: Failure to File a Final Inventory and Appraisal and for  
Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 10/22/2005</b>	<b>EDWIN L. PYLE</b> was appointed executor with full IAEA and without bond on 7/11/06.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		1. <b>Need final inventory and appraisal and petition for final distribution <u>or</u> current written status report</b> pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
<b>Cont. from 030714</b>	Letters issues 7/11/06	
<b>Aff.Sub.Wit.</b>	Inventory and appraisal, partial no. 1 was filed on 5/9/07 showing a value of \$54.00. (Note also listed but not appraised is collectable silver dollar coins and approximately \$45,000 to be received from the A.C. Hiebert Trust.)	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	Notice of Status Hearing was mailed to Attorney Daryl Katcher on 12/20/2013.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>	<b>Minute Order dated 3/7/14</b> states the Court is advised that the litigation has been concluded and this is not a no asset estate as there are 107 silver dollars.	
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		<b>Reviewed by: KT</b>
<b>Order</b>		<b>Reviewed on: 5/20/14</b>
<b>Aff. Posting</b>		<b>Updates:</b>
<b>Status Rpt</b>		<b>Recommendation:</b>
<b>UCCJEA</b>		<b>File 9 – Hiebert</b>
<b>Citation</b>		
<b>FTB Notice</b>		

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for  
 Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 7/29/05</b>	<p><b>LORRAINE A. GIRAGOSIAN</b> was appointed Administrator with full IAEA authority and without bond on 7/18/06.</p> <p>Letters issues 7/18/06.</p> <p>Inventory and Appraisal was due December 2006.</p> <p>First account or petition for final distribution was due September 2007.</p> <p><b>Former Status Report filed on 3/6/14</b> states she spoke to the Administrator and that it is anticipated that the inventory and appraisal and the petition for final distribution will be filed no later than March 31, 2014.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>OFF CALENDAR.</b> Petition for Settlement of Final Account has been filed and is set for hearing on 7/17/14.</p>				
<b>Cont. from 031414, 041114</b>						
<b>Aff.Sub.Wit.</b>						
<b>Verified</b>						
<b>Inventory</b>						
<b>PTC</b>						
<b>Not.Cred.</b>						
<b>Notice of Hrg</b>						
<b>Aff.Mail</b>						
<b>Aff.Pub.</b>						
<b>Sp.Ntc.</b>						
<b>Pers.Serv.</b>						
<b>Conf. Screen</b>						
<b>Letters</b>						
<b>Duties/Supp</b>						
<b>Objections</b>						
<b>Video Receipt</b>						
<b>CI Report</b>						
<b>9202</b>						
<b>Order</b>						
<b>Aff. Posting</b>						
<b>Status Rpt</b>						
<b>UCCJEA</b>						
<b>Citation</b>						
<b>FTB Notice</b>						
<table border="1"> <tr><td><b>Reviewed by: KT</b></td></tr> <tr><td><b>Reviewed on: 5/20/2014</b></td></tr> <tr><td><b>Updates:</b></td></tr> <tr><td><b>Recommendation:</b></td></tr> <tr><td><b>File 10 – Benson</b></td></tr> </table>		<b>Reviewed by: KT</b>	<b>Reviewed on: 5/20/2014</b>	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 10 – Benson</b>
<b>Reviewed by: KT</b>						
<b>Reviewed on: 5/20/2014</b>						
<b>Updates:</b>						
<b>Recommendation:</b>						
<b>File 10 – Benson</b>						



		PUBLIC GUARDIAN, was appointed Conservator of Person and Estate on 11/05/08.	NEEDS/PROBLEMS/COMMENTS:
		Order Settling the Second Account filed 01/22/13 set this matter for a status hearing regarding filing of the Third Account.	<b><u>CONTINUED FROM 04/11/14</u></b>  <i>As of 05/21/14, nothing further has been filed in this matter.</i>  1. Need Third Account.  <b>Note:</b> A copy of the Minute Order was mailed to attorney Gary Motsenbocker on 04/11/14.
Cont. from 032814, 041114			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			Reviewed by: JF
Status Rpt			Reviewed on: 05/21/14
UCCJEA			Updates:
Citation			Recommendation:
FTB Notice			File 11 – Fly

Status Hearing Re: Filing of Petition for Distribution

DOD: 01/17/11		<p><b>DEBORAH KAMINE</b>, daughter, was appointed Executor with full IAEA authority and without bond on 05/12/11. Letter Testamentary were issued on 05/12/11.</p> <p>Inventory &amp; Appraisal, final, filed 10/11/13 - \$198,712.13</p> <p><b>Minute Order</b> from status hearing on 10/25/13 set this matter for status regarding filing the Account/Report of Executor on Waiver of Account and Petition for Distribution.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order from 04/18/2014: No appearances. Paul Franco is ordered to be personally present on 05/23/2014 if the required documents have not been filed.</b></p> <p><b>Copy of Minute Order mailed to Attorney Franco on 04/18/2014.</b></p> <p><b>Minute Order from 03/21/2014 states: No appearances. Paul Franco is ordered to be personally present on 04/18/2014 if the account and petition for distribution has not been filed.</b></p> <p><b>Copy of Minute Order mailed to Attorney Franco on 03/24/2014.</b></p> <p><b>Minute Order from 01/24/14 states: No appearances. Matter continued to 03/21/14. The Court orders Paul Franco to be personally present on 03/21/14.</b></p> <p><b>Copy of Minute Order mailed to Attorney Franco on 01/30/2014.</b></p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 012414, 041814			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: LV			
Reviewed on: 05/21/2014			
Updates:			
Recommendation:			
File 12 – Blankenship			

Atty Hemb, Richard E., of Hemb Law Office (for Michele R. Curley, Administrator)

**Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution**

DOD: 9/7/2012		<p><b>MICHELE R. CURLEY</b>, Daughter, was appointed Administrator with Full IAEA with bond of <b>\$30,000.00</b> on 11/7/2012. Letters issued 1/22/2013.</p> <p><b>Minute Order dated 11/8/2013</b> from the Status Hearing Re: Increase in Bond Based on the Value of the Estate as Shown on the Inventory and Appraisal continued the status hearing to <b>1/17/2014</b> for filing of an ex parte petition to increase the bond.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 3/21/2014.</u></p>
Cont. from 011014, 011714, 032114		<p><b>Proof of Bond filed 1/14/2014</b> shows bond of <b>\$14,000.00</b> was posted. Based on 1/22/2013 bond posted of <b>\$30,000.00</b>, the total bond is currently <b>\$44,000.00</b>.</p>	
	Aff.Sub.Wit.	<p><b>Status Conference Statement filed 5/21/2014 states:</b></p> <ul style="list-style-type: none"> <li>The Inventory and Appraisal was filed on 10/15/2013 showing an estate value of <b>\$110,367.38</b>, with real property valued at <b>\$60,000.00</b>;</li> <li>The real property has been taken over by vandals; real estate professionals have indicated that sale proceeds will not be sufficient to cover selling costs and encumbrances;</li> <li>The Administrator is currently preparing an accounting, including her own personal funds used toward estate administration;</li> <li>Additionally, the Administrator has placed two vehicles in storage, and is in the process of selling them;</li> <li>A final report and petition to distribute the estate should be prepared after the vehicles are sold;</li> <li>Therefore, the Administrator asks for an additional <b>6 weeks</b> to resolve these remaining assets.</li> </ul>	
✓	Verified		
	Inventory		
	Bond		
	Not.Cred.		
	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
✓	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 5/21/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 13 – Martinez</b></p>

Status Hearing Re: Filing of the First Account

		<p><b>DEBRA PASLEY</b>, Mother, was appointed as Conservator of the Person and Estate on 2-1-13 with bond of \$15,000.00.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> On 2-5-14, the Court granted the Conservator's petition to fix the conservatee's residence outside the State of California (to Virginia) and set a status hearing for the filing of a conservatorship or its equivalent in Virginia for 3-28-14.</p> <p>On 3-28-14, the Court was informed that the Conservator is seeking employment in a number of other states, and is waiting to establish conservatorship until she obtains employment and moves on a permanent basis. The status hearing was continued to 5-28-14.</p> <p><b>However, at this time, accounting remains due.</b></p> <p><b>Note:</b> Pursuant to Probate Code §2630, this Court may retain jurisdiction of the conservatorship estate for the purpose of settling accounts prior to termination.</p> <p><b>Note:</b> Per Declaration filed 1-30-13, the Conservatee's assets include a 1/5 interest in real property in Franklin County, Virginia and an account containing approx. \$13,087.22 as of 12-31-12.</p> <p><b>Note:</b> I&amp;A filed 6-5-13 indicates the account containing \$13,438.31. The Virginia real property interest is not subject to this conservatorship estate; however, pursuant to Probate Code §1063(h), the property must be noted in a schedule of the accounting.</p> <p><b>Therefore:</b></p> <p>1. <b>Need First Account or status report pursuant to Local Rule 7.5.</b></p>
<b>Cont from 041114</b>		<p>Bond was filed on 3-27-13 and Letters issued on 3-28-13.</p>	
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>		<p>At the hearing on 2-1-13, the Court set this status hearing for the filing of the first account.</p>	
<b>Inventory</b>			
<b>PTC</b>		<p><b>Declaration filed 4-10-14 states</b> that due to her move and search for employment the conservator has not been able to complete an accounting. The attorney requests that status be continued for one month to file the account.</p>	
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 5-21-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 14 – Pasley</b></p>	

DOD: 12-18-12	KEVIN HUDGINS and DANIELL DUTRA	NEEDS/PROBLEMS/COMMENTS:
	were appointed Co-Executors with	
	Full IAEA without bond and Letters	
	issued on 2-7-13.	
Cont from 041114	On 2-7-13, the Court set this status	<u>Continued from 4-11-14</u>
Aff.Sub.Wit.	hearing for the filing of the first	<b>Minute Order 4-11-14: No appearances. Matter continued to 5-23-14. Mr. Shepard is ordered to be personally present on 5-23-14 is the required documents are not filed. A copy of the minute order was mailed to Mr. Shepard on 4-11-14.</b>
Verified	account or petition for final	
Inventory	distribution.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
		<u>Note:</u> Final I&A filed 9-24-13 indicates a total estate value of \$1,394,500.00 consisting of a business (Page Funeral Chapel, Inc.), various personal property, and various real property interests.
		<u>Note:</u> Various creditor's claims have been filed, and the California Franchise Tax Board has also filed a Request for Special Notice. Therefore, notice of hearing and status reports should be served pursuant to Probate Code §1252.
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 5-21-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 15– Hudgins</b>

	<p><b>JENNIFER SANCHEZ</b>, Maternal Aunt, was appointed Guardian of the Estate on 3-6-13 without bond, funds blocked.</p> <p><b>I&amp;A Partial No. 1 was filed 4-18-13</b> consisting of personal property valued at \$17,255.00.</p> <p><b>I&amp;A Partial No. 2 was filed 8-26-13</b> consisting of CalSTRS proceeds of \$5,955.33.</p> <p><b>I&amp;A Partial No. 2 was filed 03-05-2014</b> consisting of Life Insurance proceeds of \$32,288.15.</p> <p>Minute Order of 03/26/2013 set this matter for hearing.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need First Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>																																																																													
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17 George Feodor Taylor (Estate)

Atty McCloskey, Daniel T.

Atty Anderson, Bonnie J.

Case No. 13CEPR00482

Status Hearing Re: Filing of the Inventory and Appraisal

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Final I &amp; A filed 03/04/14</b>
<b>DOD:</b>		
<b>Cont. from</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	
<input type="checkbox"/>	<b>Verified</b>	
<input type="checkbox"/>	<b>Inventory</b>	
<input type="checkbox"/>	<b>PTC</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	
<input type="checkbox"/>	<b>Notice of Hrg</b>	
<input type="checkbox"/>	<b>Aff.Mail</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	
<input type="checkbox"/>	<b>Letters</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	
<input type="checkbox"/>	<b>Objections</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	
<input type="checkbox"/>	<b>CI Report</b>	
<input type="checkbox"/>	<b>9202</b>	
<input type="checkbox"/>	<b>Order</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	
<input type="checkbox"/>	<b>UCCJEA</b>	
<input type="checkbox"/>	<b>Citation</b>	
<input type="checkbox"/>	<b>FTB Notice</b>	
<b>Reviewed by:</b> JF		
<b>Reviewed on:</b> 05/21/14		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 17 - Taylor</b>		

DOD: 8-1-03	KENNETH A. NIINO, son was appointed Executor will full IAEA authority without bond on 11/14/2013.	NEEDS/PROBLEMS/COMMENTS:	
	Letters issued on 11/14/2013.		
Cont. from 041114	Minute Order of 11/14/2013 set this matter for hearing.		
Aff.Sub.Wit.	<b>Status Hearing re Filing of Inventory and Appraisal filed 05/14/2014</b> states the purpose of filing a probate petition was to secure the appointment of a personal representative of the Estate which was required by Stewart Title of California, 8355 N. Fresno, Fresno, Ca 93720 for execution of a reconveyance/closure documents pertaining to real property that was not the subject of probate proceedings.		
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen		There are no assets in this Estate subject to probate distribution and, accordingly, the personal representative does not intend to file an Inventory and Appraisal. All matters with the exception of the need for appointment of a personal representative as herein declared do not require probate administration.	
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LV	
		Reviewed on: 05/21/2014	
		Updates:	
		Recommendation:	
		File 18 – Niino	



**Status Hearing Re: Filing of the Inventory and Appraisal**

<b>DOD: 4-7-13</b>	<b>STEVEN ANDERSON</b> was appointed Executor with Full IAEA without bond on 1-21-14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need Inventory and Appraisal pursuant to Probate Code §8800.</b>
	The Court set this status hearing for the filing of the Inventory and Appraisal.	
<b>Aff.Sub.Wit.</b>	Verified Status Report filed 5-14-14 states that because the Executor resides in Bakersfield, he has experienced some delay in accessing safe deposit boxes in Fresno containing unique items such as coins and jewelry. Third party appraisals of such items have been submitted to the Probate Referee and once his review is complete, the Inventory and Appraisal will be filed.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 5-21-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 19 - Schafer</b>

DOD: 09/26/13		<b>PHYLLIS LYNN MADRIGAL and DEBRA ANN CULWELL</b> , daughters were appointed as Co-Executors with Full IAEA and without bond on 01/23/14. <b>Letters Testamentary</b> were issued on 01/24/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Inventory & Appraisal.
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
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Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 05/21/14	
		Updates:	
		Recommendation:	
		File 20 - Culwell	

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or  
Failure to File a First Account or Petition for Final Distribution**

<b>DOD: 12/24/04</b>	<b>PAMELA LASSLEY</b> , daughter, was appointed Executor with full IAEA and without bond on 06/07/05. Letters Testamentary were issued on 06/07/05.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Petition for Final Distribution filed 05/07/14 and set for hearing on 06/17/14</b>
<b>Cont. from 022114, 041114</b>	<b>Notice of Status Hearing</b> filed 11/21/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	<b>Clerk's Certificate of Mailing</b> indicates that the Notice of Status Hearing was mailed Pamela Lassley on 11/21/13.	<b>Reviewed by:</b> JF <b>Reviewed on:</b> 05/21/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 21 – Sharrah</b>
<input type="checkbox"/> <b>Verified</b>		
<input checked="" type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Status Hearing Report</b> filed 01/17/14 by Pamela Lassley states: She was appointed as Executor of the estate on 06/07/05. At that time she was represented by attorney Dorsey K. Dwelle. Ms. Lassley states that she was under the impression that the estate administration had been completed and only became aware that it was still open upon receiving the Notice of Status Hearing. Mr. Dwelle died on 04/06/07. Checking through her records, she found a cancelled check for the Probate Referee and was able to obtain a copy of the Inventory & Appraisal and asks that the court treat it as an original. Further, she has copies of Notice of Proposed Action with proofs of service filled in and signed. There does not appear to be any response to the Notice of Proposed Action and they have not been filed. The real property asset of the estate was sold in May 2005. Ms. Lassley is in possession of all of the escrow documents. Disbursements were made and Ms. Lassley has all of the documentation. She will prepare a Petition for Final Distribution based on what was done.	
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
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<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>	<b>Supplemental Declaration of Pamela Lassley</b> filed 01/27/14 attaches a copy of the Inventory & Appraisal that was signed 06/07/05 valuing the assets of the estate at \$149,000.00.	